

MINUTES  
HAMILTON COUNTY BOARD OF COMMISSIONERS  
MARCH 25, 2011  
Hamilton County Highway Department  
1700 S. 10<sup>th</sup> Street  
Noblesville, Indiana

President Altman called the meeting of the Hamilton County Board of Commissioners to order with a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt.

**HIGHWAY DEPARTMENT**

**146<sup>th</sup> Street/Ditch Road Alignment**

Mr. Brad Davis requested direction on how to proceed with the alignment at 146<sup>th</sup> Street and Ditch Road, due to the current information of Estridge going out of business. The current approved alignment is with one roundabout which was shifted slightly to the north just enough to avoid the property on the southwest corner and just enough room to give distance from the roundabout and what will be the existing intersection of 146<sup>th</sup> Street and Ditch Road. Estridge expressed concerns and the proposed revised alignment has three roundabouts and shifted to the north and combines the retention pond with existing retention ponds and leaving the southwest and southeast corners as possible developable property. The current roundabout needs about 17 acres and the revised alignment will need 23 acres.

Howard reported this project is a major land acquisition problem because the property on the southwest corner is basically a \$1 million acquisition with the original design devaluing the property approximately 90 percent. The project budget for land acquisition is \$2 million. There are two parcels to the east that will need to be acquired. The other problem is that if we say Estridge is no longer involved, there are still banks involved. The possible solution of the developer dedicating right of way in exchange for the developer creating commercial development is getting less realistic by the day. Estridge is essentially out, Browning was originally hired to develop the commercial property, they filed a zoning petition in Westfield but it was dismissed due to it being more than 120 days past the public hearing date. There are appraisal problems and Howard recommended United Consulting make sure experienced appraisers are used. Litigation will almost be mandatory if for no other reason than to Quiet Title. The title will transfer to the County and whatever lien all the entities have would be included and then all the lien holders will have to fight over it. Very soon we will be in the situation where the County has to design our road and proceed. Under the federal land acquisition guidelines we can not contact a landowner until the environmental study is completed and we hold the public hearing.

Altman suggested before the property goes into foreclosure we should be in with our condemnations. Howard stated this is an issue not of compromise but one of moving forward as expeditiously as possible. Holt asked if there is cash on hand to buy the land now? Howard replied there is only \$4.5 million in the TIF (Tax Increment Financing) fund. We could bid the project today with enough money for land acquisition, construction inspection and the local match.

Chris Hammond of United Consulting reported they presented a schedule to Brad Davis and Jim Neal in October 2010 showing the categorical exclusion and environmental documents would be completed and appraisals beginning in November 2011. At that time there was no clear direction on how to proceed due to the discussions on the alignment with Estridge. We are currently four (4) months behind on the presented schedule. If we proceeded with the currently approved alignment today they could accelerate pretty quickly. The subcontractors are ready to proceed as soon as they are given permission. Altman asked when can we hold the public hearing? Hammond replied no sooner than February 2012. Altman asked why do we need that much time? Dave Richter explained that due to federal highway funding guidelines, the historic documentation, categorical exclusion and environmental study have to be done for the entire project (to Boone County Line) not in stages. Richter stated if we would have moved forward with the environmental knowing you will be changing the alignment then INDOT (Indiana Department of Transportation) will not allow the public hearing to be held.

Dillinger stated the decision today is the alignment. Holt stated he likes the new alignment; this is a 500 year footprint, it is a 5 acre difference in land impact. Altman stated it is huge in traffic impact. Dillinger stated it is a question if it can handle the traffic; neither of the designs affects the traffic. Richter stated the design does not affect the traffic but future development might. Howard stated he does not think there is enough aggregate demand to justify the proposed retail. Dillinger asked where does Westfield stand on these two proposals? Davis reported Kurt Warninger seemed fine with either design. Altman reported the Mayor is not ok with the two (2) roundabouts. Dillinger asked Richter, in his opinion and as an engineer, which is the best design? Richter replied the least expensive of the designs, if the developer is no longer involved to donate land. Richter stated both designs serve the traffic; it is a question of the economic impact. Altman stated there are houses now built that are not shown on this map. Dillinger suggested postponing this decision until the next highway meeting. We need to meet with Mayor Cook to hear his position, see if there will be a developer involved and possible representatives of the area homeowners. Holt would like to hear Mayor Cook's opinion. Richter asked if the landowners are concerned about the alignment? Dillinger replied that the alignment is too close to their homes. Davis asked Richter if there was an option of leaving some buffering space to allow some mounding or landscaping that might appease the homeowners but leave the southwest corner as a larger developable property? Howard stated unless there is eminent development it is best to do what is best from the transportation standpoint, development is at least 5 years away. Richter stated the approved alignment is what United thought that a developer would like, when Estridge came in they said that is not something we should do. To create something that allows development to the north depends on who the developer is and their opinion. Holt asked if we could have a highway meeting in two weeks? Altman suggested scheduling this discussion at the end of April 11, 2011 Commissioner meeting. Altman will contact Mayor Cook. Richter and Hammond will move forward with getting the subcontractors in place and ready to go when the final alignment is approved.

Altman called a break in the meeting. [8:31 a.m.]

Altman called the meeting back to order. [8:41 a.m.]

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**SR 238 Relinquishment**

Davis reported INDOT has issued a letter of acceptance to the contractor for the Hamilton county portion of road construction on Contract #R-28939, SR 238 Relinquishment. INDOT intends to transfer the roadway to Hamilton County on April 10, 2011. Holt moved to accept the relinquishment letter. Dillinger seconded. Motion carried unanimously.

**Federal Aid Match**

Davis reported they will be requesting an additional appropriation at the April County Council meeting for the Olio Road project, 96<sup>th</sup> to Geist Reservoir, for construction inspection in the amount of \$975,000. Hamilton County will be reimbursed 80 percent of these monies by the federal government.

**Consultant Selection**

Davis requested selection of a consultant for professional services on the following projects:

A. 96<sup>th</sup> Street and Towne Road Roundabout Construction Inspection. Dillinger moved to appoint Beam, Longest & Neff LLC. Holt seconded. Motion carried unanimously.

B. Small Structure #31056 Lamong Road over Hinesley Drain. Holt moved to appoint USI Consultants. Dillinger seconded. Motion carried unanimously.

C. Small Structure #21066 Flippins Road over Cool Creek. Dillinger moved to appoint Hannum, Wagle & Cline. Holt seconded. Motion carried unanimously.

Davis informed the Commissioners that they are sending in the RFP (Requests for Proposals) recommendations to INDOT for two (2) federal aid projects, Olio Road with United Consulting and the Monon Pedestrian Bridge inspection services with USI as their recommendations.

**Bridge #252 Rehabilitation**

Holt stated the Commissioners were copied on a letter from Beam, Longest and Neff regarding Bridge #252, Allisonville Road over Shoemaker Ditch, is that the county's road? Neal responded it is the county's bridge. Holt asked without the Cumulative Bridge fund how can that be? Neal replied anything above 20 feet is the county's responsibility. The municipalities handle all small structures under 20 feet, per the agreement. If a municipality is doing a road project and there is a widening of the road it is their responsibility to address the bridge. Holt asked what is the funding source? Neal replied Cumulative Capital fund.

**Transportation Enhancement Application for Riverwalk Trail**

Davis requested approval and the President's signature on a funding commitment for the Riverwalk Trail, Phase 2 Transportation Enhancement Application to Mr. Lori Miser, Executive Director of the Indianapolis MPO (Metropolitan Planning Organization). Dillinger moved to approve. Holt seconded. Motion carried unanimously.

**Part Time Summer Staff**

Davis stated at the April County Council meeting he will be requesting permission to hire summer staff. Along with that request he is requesting the Commissioners approve the Part Time work hour exception to allow part time employees of the Highway Department, for 2011, to exceed 34 work hours per week, most part time staff will work four -10 hour days. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

**Mowing Crews**

Altman reported Davis needs direction on how to handle the summer mowing program. Davis reported he will be meeting with Ryan Horine from the Sheriff's Department, Al Patterson Director of the Parks Department and has spoken with Jeff Rushforth of Household Hazardous Waste Center, to discuss the expectations of the summer mowing program. Altman asked if it is worthwhile to have the inmates mowing the right of way? Davis stated they have restricted their equipment use to push mowers and they are mowing the medians only. Altman asked if this is still the right thing to do fiscally? Dillinger stated it is worth it to have them out there, no matter what the costs. Davis stated it is worth it to the highway department. Jeff Rushforth has funding available to help offset the costs of trash pick-up. Altman asked if there is an issue of scheduling? Davis replied yes, he is not sure they are authorized to start, but we will need to start mowing soon. There is a cost to it, but cost is not all for his department.

**Road Closures**

East 96<sup>th</sup> Street Road Closure

Davis requested permission to close 96<sup>th</sup> Street from Cumberland Road to Fall Creek Road beginning on or after Monday, April 4, 2010 until no later than August 4, 2010. The closure is to accommodate the storm sewer and road work for the 96<sup>th</sup> Street Project from Mollenkopf Road to Fall Creek Road. A signed detour route utilizing Cumberland Road, 106<sup>th</sup> Street and Geist Road will be posted prior to the closure. Dillinger moved to approve. Holt seconded. Motion carried unanimously.

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96<sup>th</sup> Street and Shelborne Road Closure

Davis requested permission to close 96<sup>th</sup> Street from US 421/Michigan Road to Towne Road, North Augusta Road from 96<sup>th</sup> Street to 97<sup>th</sup> Street and Shelborne Road from 96<sup>th</sup> Street to 106<sup>th</sup> Street beginning on or after Monday, April 25, 2010. This closure is to accommodate the road work, structure replacement and roundabout construction along 96<sup>th</sup> Street, North Augusta Drive (Commerce Drive) and Shelborne Road. A signed detour utilizing Michigan Road, 106<sup>th</sup> Street and Towne Road will be posted prior to the closure. Dillinger moved to approve. Holt seconded. Motion carried unanimously.

**April 11, 2011 Meeting**

Stevens asked who should be invited to the work session scheduled on April 11, 2011 at 9:00 a.m. to discuss the Juvenile Services Center? Commissioner's consensus was to have just the Commissioners at that meeting.

**E-911 Ordinance**

Altman asked Stevens to have Mike Howard prepare his opinion on the residency requirements of the members of the E-911 Review Board during Monday's meeting.

Dillinger moved to adjourn. Holt seconded. Motion carried unanimously.

**Present**

Christine Altman, Commissioner  
Steven C. Dillinger, Commissioner  
Steven A. Holt, Commissioner  
Dawn Coverdale, Auditor  
Michael Howard, Attorney  
Dan Stevens, Director of Administration  
Brad Davis, Highway Director  
Jim Neal, Highway Engineer  
Joel Thurman, Highway Project Engineer  
Tim Knapp, Right of Way Specialist  
Dave Richter, United Consulting  
Chris Hammond, United Consulting  
Kim Rauch, Administrative Assistant to Auditor

APPROVED  
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

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Dawn Coverdale, Auditor

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